

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

CONSOLIDATED UNDER
CASE NO. 05-10155 PBS

YISEL DEAN, Independent Administratrix of the Estate of
STEVEN DEAN, deceased, and on behalf of all statutory
beneficiaries,
Plaintiff,

V.

DOCKET NO: 05cv10155 PBS

RAYTHEON COMPANY, a Delaware corporation,
RAYTHEON AIRCRAFT COMPANY, a Kansas Corporation,
RAYTHEON AIRCRAFT CREDIT CORPORATION, a
Kansas Corporation, COLGAN AIR, INC., a Virginia
Corporation d/b/a US Air
Express,
Defendants.

LISA A. WEILER, Administratrix of the Estate of SCOTT A. KNABE, deceased, and on behalf of all statutory beneficiaries,
Plaintiff,

V.

DOCKET NO: 05cv10364 PBS

RAYTHEON COMPANY, a Delaware corporation,
RAYTHEON AIRCRAFT COMPANY, a Kansas Corporation,
RAYTHEON AIRCRAFT CREDIT CORPORATION, a
Kansas Corporation, COLGAN AIR, INC., a Virginia
Corporation d/b/a US Air Express,
Defendants.

MOTION IN LIMINE IN VARIOUS MATTERS OF RAYTHEON DEFENDANTS

The defendants hereby respectfully move for an order *in limine* precluding the plaintiffs from making reference to the following matters at trial:

1. Any and all references to liability insurance. See Goldstein v. Gontarz, 364 Mass. 800, 808 (1974).

2. Any and all references by plaintiffs' counsel, either in the opening, closing, or during trial, that imply or state directly or indirectly that the jury should "send a message," and/or that the jury should "punish" or "teach a lesson to" the defendants, and that they should do so by reaching a verdict in favor of the plaintiffs or statements of a similar nature.

3. Any and all references by plaintiffs' counsel, either in the opening, closing, or during trial, that refers to hypothetical damages in other circumstances, or verdicts in other cases. This prohibition includes, but is not limited to, analogies to verdicts in other cases, the cost of advertising on television and/or radio, professional athlete salaries, the cost for a crashed airplane, or the price of paintings or other collectibles. Arguments concerning money damages with reference to numerical amounts are improper. See, Harlow v. Chin, 405 Mass. 697 (1989).

4. Any and all references to other claims or cases brought by any party against the defendants.

5. Any and all reference to the idea that the defendants were grossly negligent and/or outrageous in behavior.

RAYTHEON DEFENDANTS,
By Counsel,

/s/ Peter C. Knight

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on January 19, 2007.

/s/ Peter C. Knight

Peter C. Knight, BBO # 276000
Tory A. Weigand, BBO #548553
MORRISON MAHONEY LLP
250 Summer Street
Boston, MA 02210
Phone: 617-439-7500

-AND-

William L. Oliver, Jr. Esquire
Michael G. Jones, Esquire
MARTIN, PRINGLE, OLIVER, WALLACE
& BAUER, L.L.P.
100 North Broadway, Suite 500
Wichita, KS 67202
Phone: (316) 265-9311